

MINUTES
REGULAR MEETING
STEPHENS COUNTY BOARD OF COMMISSIONERS
MARCH 27, 2007

Chairman Peeples called the meeting to order at 10:20 a.m. and welcomed those present. Marshal Dan Merck gave the Invocation and led the Pledge of Allegiance.

PRESENT: Commissioners Kenneth Peeples, Rex Anderson, and Harold Andrews; County Administrator Darrell Hampton; County Clerk Donna Patterson; Finance Director Phyllis Ayers; County Attorney Brian Ranck

I. APPROVE AGENDA

A motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to approve the agenda with an addition under New Business, as Item #7, Letter of support to the Department of Transportation regarding a limited access break on SR17 for Home Depot. **Motion carried unanimously.**

II. CONSENT AGENDA

1. ALCOHOL BEVERAGE LICENSE / ROYAL FOOD #37
SHAHZANA ALI

Administrator Hampton stated that this a request for an Alcohol Beverage License transfer for Ms. Shahzana Ali, Royal Food #37, at 4146 W. Currahee Street. All fees have been paid and she has a clean background check from the Sheriff's Department.

2. INTERGOVERNMENTAL AGREEMENT / TOCCOA ELECTIONS
CITY OF TOCCOA / STEPHENS COUNTY

Administrator Hampton stated that this is an intergovernmental agreement between the City of Toccoa and Stephens County regarding the conducting of elections for the City of Toccoa. In the agreement, the City of Toccoa agrees to pay Stephens County \$3,500 for services necessary to conduct the November 6, 2007 Election. If a run-off is necessary, they will pay an additional \$3,500.

The agreement is entered and shown as **Exhibit 'A,'** being made a part of these minutes.

3. BID SPECIFICATIONS FOR DUMP TRUCKS

Administrator Hampton requested approval of the bids specs for dump trucks. Approval is for the specs only; it is not obligating any funds.

A copy of the 'Invitation to Bid' is entered and shown as **Exhibit 'B,'** being made a part of these minutes.

A motion was made by Commissioner Andrews, seconded by Commissioner Anderson, to approve the Consent Agenda as presented. **Motion carried unanimously.**

III. OLD BUSINESS

1. GA MOUNTAINS REGIONAL DEVELOPMENT CENTER LAND USE MANAGEMENT PLAN / AGREEMENT

Chairman Peeples explained that this is an agreement between the GA Mountain RDC and Stephens County from May 1, 2007 to June 30, 2008 in the amount of \$19,000. If accepted, the RDC will provide Stephens County with a Land Use Management Plan.

Attorney Ranck stated that, after negotiations, the correct amount should be \$15,000 instead of \$19,000. He also added a venue provision in the agreement that any litigation would be held in Stephens County.

Administrator Hampton said that \$10,000 would be provided thru a Signature Community designation; and the County would be funding the additional \$5,000.

A motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to approve the agreement with the amendments as stated by Attorney Ranck and, further, for Chairman Peeples and Clerk Patterson to execute the corrected agreement. **Motion carried unanimously.**

The agreement is entered and shown as **Exhibit 'C,'** being made a part of these minutes.

2. CONTRACTS WITH GUNBY COMMUNICATIONS INC. / \$38,932 YR

General Manager John Smith, with Gunby Communications Inc. (GCI), came forward to answer any questions.

Chairman Peeples asked about the lightning warranty on the equipment.

Mr. Smith stated that GCI has adopted the Motorola R56 for installation and maintenance of fixed site equipment. If the fixed equipment is installed and grounded to their specifications, GCI will cover up to 50% of the annual contract amount for lightning caused problems. At this time, the existing site ground system does not meet this standard with regard to two items. (1) The site ground system has not been tested to verify a 5 ohm resistance, and (2) There are currently two ground reference points. R56 requires a 'single point ground.' Upon correction and verification of these two discrepancies, GCI will provide a letter stating lightning warranty coverage for the remainder of the contract period.

Attorney Ranck recommended approving the four contracts at this time; if the Commission desires additional lightning coverage the contracts could be amended at a later date.

Mr. Smith stated that he was willing to meet with an electrician at the E911 center to review the corrections needed to ensure lightning coverage.

A motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to approve the contracts for a total of \$38,932 a year. **Motion carried unanimously.**

The contracts are entered and shown as **Exhibit 'D,'** being made a part of these minutes.

IV. NEW BUSINESS

1. CITIZEN COMPLAINT / LITTER IN STEPHENS COUNTY

Sue Fletcher came forward and stated her concern with litter in Stephens County. She suggested the use of prisoners, different hours of operation at the dumpsites, and road signage with high fees for littering.

The Commission assured Ms. Fletcher that they are aware of the littering problem. Most of the viable solutions would require a great deal of County funds, which would be passed on to the citizens of Stephens County. The County is continually researching ways to resolve this problem.

Administrator Hampton was instructed to compare the costs of hiring addition County personnel with the cost of using Hartwell prisoners.

A motion was made by Commissioner Anderson, seconded by Commissioner Andrews, for County Staff to review all of the possible solutions to reduce litter in Stephens County and to present those options to the Commission. **Motion carried unanimously.**

2. TOCCOA-STEPHENS COUNTY CHAMBER OF COMMERCE

Wendy Bailey, President of the Toccoa-Stephens County Chamber of Commerce, came forward to present the Chamber's Annual Report to the Commission.

She explained the marketing strategies and goals set for the future growth in Toccoa-Stephens County.

The report is entered and shown as **Exhibit 'E,'** being made a part of these minutes.

3. CARNES CREEK FIRE DEPARTMENT
REQUEST TO TRANSFER A VEHICLE

Jody Marcus, with the Carnes Creek Fire Department, came forward and requested approval to utilize a M7 vehicle - which is currently parked at the County shop and not in use. Utilization of this unit will designate a rehabilitation/staging area for firefighters and transport necessary equipment and personnel to fire scenes.

Administrator Hampton asked for additional time to allow Staff to estimate the costs of making this vehicle serviceable.

A motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to table this item until the April 10, 2007 Meeting. **Motion carried unanimously.**

4. PROPOSED JOB ADVERTISEMENT AND JOB DESCRIPTION
E911 DIRECTOR

Administrator Hampton requested approval of a job advertisement and job description for the E911 Director position. He also requested approval to contact the Peace Officer's Standard Training (POST) Council to assist with the selection of qualified applicants for the Commission to consider.

A motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to approve the advertisement and job description as presented. **Motion carried unanimously.**

5. AMEND INTERGOVERNMENTAL AGREEMENTS
CITY OF TOCCOA / SPLOST II & SPLOST III FUNDS

County Finance Director Phyllis Ayers requested approval to disburse the remaining funds in SPLOST II and SPLOST III to the City of Toccoa. She further stated that Toccoa Finance Director Emory Stephens has submitted a letter of request for these funds.

Attorney Ranck stated that he would meet with Toccoa City Attorney John Dickerson to work towards drafting a contract for the Commission to consider.

A motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to table this item until the April 10, 2007 meeting. **Motion carried unanimously.**

6. REQUEST TO RENT GYMNASIUM FOR WRESTLING

Mr. Jackie Owens came forward and requested approval to rent the gymnasium at the Eastanollee Middle School. He wants to use the space to hold wrestling events and as a training facility for wrestling.

Chairman Peeples asked Mr. Owens if he would meet with the County Attorney, at his own expense, to discuss the details involved with this endeavor.

Mr. Owens stated that he would be willing to meet with the County Attorney.

A motion was made by Commissioner Andrews, seconded by Commissioner Anderson, to table this item until all details are worked out. **Motion carried unanimously.**

7. LIMITED ACCESS BREAK / SR 17 / HOME DEPOT
LETTER OF SUPPORT TO DEPT. OF TRANSPORTATION

Administrator Hampton stated that for the past several months Stephens County has worked closely with the City of Toccoa and the Development Authority in locating a Home Depot in our community. As an incentive, there is a need for a limited access break approximately 1500' west of the intersection of Memorial Drive.

Toccoa has reviewed and approved a plan for a new road system tying into SR17. The new road will provide access to proposed retail development adjacent to SR17. The new road and the proposed limited access break shall conform to Georgia Department of Transportation standards.

A motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to approve the Letter of Support as presented. **Motion carried unanimously.**

A copy of the Letter of Support is entered and shown as **Exhibit 'F,'** being made a part of these minutes. **Motion carried unanimously.**

V. INVOICES OVER \$5000

Chairman Peeples noted that there are no invoices over \$5000 at this time.

VI. MATTERS FROM DEPARTMENTS

1. 2010 CENSUS

Administrator Hampton reported that EMA Director Becky Wall and Deputy E911 Director Rex Nelms are representing Stephens County in preparation of the 2010 Census.

Administrator Hampton stressed the importance of obtaining a fair and accurate count of the people in Stephens County because a large portion of funding comes from State and Federal levels based on those numbers.

2. VARIANCE REQUEST / HIGHLANDS OF LAKE HARTWELL

Alan Smith came forward and stated that Paul Chalmers and Chuck Pinion, owners of the Highlands of Lake Hartwell development, have requested a variance to a plan that was approved in 2004. They want to restructure the lots so that the houses will meet setback requirements. Mr. Smith reported that the roads in the development were not built according to the approved plans. The roads do not meet the standards as set by the County and, also, the Health Department hasn't approved the sewer.

Chairman Peebles stated that the development is totally out of control and needs to be in compliance. He suggested that a new plan be presented to the Commission.

Commissioner Anderson said that the roads have been changed, there are septic problems, and the houses were built without permits. He agrees that a new plan is necessary for the project to be developed properly.

Attorney Ranck suggested that he, Alan Smith, and the developers meet together to formulate a new plan for the project.

A motion was made by Commissioner Andrews, seconded by Commissioner Anderson, to authorize the County Attorney and Alan Smith to meet with the owners to discuss a new plan. **Motion carried unanimously.**

VII. MATTERS FROM CITIZENS

Chairman Peebles called for any matters from the public. No one came forward.

VIII. EXECUTIVE SESSION

A motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to adjourn to Executive Session in order to discuss a personnel issue. **Motion carried unanimously.**

After discussion, a motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to adjourn to the Regular Meeting. **Motion carried unanimously.**

IX. ADJOURNMENT

There being no further business, a motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to adjourn. **Motion carried unanimously.**

Approved this _____ day of _____, 2007.

Kenneth Peeples, Chairman

Attest:

Donna L. Patterson, County Clerk